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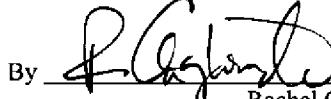
Applicant: Jack A. DANT Confirmation No.: 2345
Serial No.: 10/663,212 Examiner: James L. Swiger III
Filed: September 15, 2003 Group Art Unit: 3733
Docket No.: 1292.1225101 Customer No.: 28075
Title: APPARATUS AND METHOD FOR SPINAL DISTRACTION USING A FLIP-UP PORTAL

AMENDMENT IN ACCORDANCE WITH 37 CFR §1.116 AF
RESPONSE AFTER FINAL

MAIL STOP: AF
Commissioner for Patents
P.O. Box 1450
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CERTIFICATE FOR ELECTRONIC TRANSMISSION:

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 30th day of July, 2008.

By 
Rachel Gagliardi

Dear Sir:

This Amendment is being filed in response to the Final Office Action of the Examiner mailed May 30, 2008, with a two-month priority response period set to expire on July 30, 2008, and a shortened statutory period set to expire on August 30, 2008. This paper is filed within the set priority period for response such that no extension of time is necessary.

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.

Please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

/James L. Swiger/

08/14/2008